

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION**

|                         |   |                            |
|-------------------------|---|----------------------------|
| John T. Inabinet,       | ) | C/A No.: 3:10-cv-00089-JFA |
|                         | ) |                            |
| Plaintiff,              | ) |                            |
|                         | ) |                            |
| v.                      | ) | <b><u>ORDER</u></b>        |
|                         | ) |                            |
| Tex-Cap Electric, Inc., | ) |                            |
|                         | ) |                            |
| Defendant.              | ) |                            |
|                         | ) |                            |

The *pro se* plaintiff, John Inabinet, brings this civil action against Tex-Cap Electric, Inc. In his Complaint, Plaintiff alleges claims concerning his former employment with the defendant. The Magistrate Judge conducted a hearing with the parties on May 5, 2011 to discuss discovery and other issues. On July 13, 2011, Defendant filed a motion to dismiss and for monetary sanctions. Pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), Plaintiff was advised on July 15, 2011 that a failure to respond to the defendant's motion could result in the dismissal of his complaint. Nevertheless, the plaintiff failed to respond. The Magistrate Judge issued an order allowing the plaintiff an extended response time. The Plaintiff responded on September 8, 2011, and the defendant filed a reply on September 16, 2011.

The Magistrate Judge assigned to this action<sup>1</sup> has prepared a thorough Report and Recommendation and opines that the plaintiff's complaint should be dismissed and that

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<sup>1</sup> The Magistrate Judge's review is made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02. The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight, and the responsibility to make a final determination

defendant's motion for sanctions should be granted. The Report sets forth in detail the relevant facts and standards of law on this matter, and the court incorporates such without a recitation.

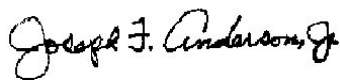
The plaintiff was advised of his right to file objections to the Report and Recommendation, which was entered on the docket on December 12, 2011. However, the plaintiff failed to file objections. In the absence of specific objections to the Report of the Magistrate Judge, this court is not required to give any explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983).

After carefully reviewing the applicable laws, the record in this case, and the Report and Recommendation, this court finds the Magistrate Judge's recommendation fairly and accurately summarizes the facts and applies the correct principles of law. The Report is incorporated herein by reference.

Accordingly, this action is dismissed, and sanctions against the plaintiff in the amount of \$20,135.37 are awarded to the defendant.

IT IS SO ORDERED.

January 9, 2012  
Columbia, South Carolina



Joseph F. Anderson, Jr.  
United States District Judge

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remains with the court. *Mathews v. Weber*, 423 U.S. 261 (1976). The court is charged with making a de novo determination of those portions of the Report and Recommendation to which specific objection is made, and the court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge, or recommit the matter to the Magistrate Judge with instructions. *See* 28 U.S.C. § 636(b)(1).